

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 1-8 are pending. Claim 1 is amended and Claims 9-21 are canceled without prejudice or disclaimer by the present amendment.

In the outstanding Office Action, Claims 1-8, 10-12, and 15-21 were rejected as anticipated by Ogure et al. (U.S. Patent Application Publication No. 20010055649, hereinafter "Ogure"); Claim 9 was rejected as unpatentable over Ogure; and Claims 13 and 14 were rejected as unpatentable over Ogure in view of Ono et al. (U.S. Patent No. 5,108,535, hereinafter "Ono").

Initially, applicants and applicants' representatives thank Primary Examiner Olsen for the interview held on October 5, 2006 to discuss the present case. During the interview, differences between the claimed invention and Ogure were discussed in detail. Examiner Olsen agreed to reconsider the rejections of record after formal submission of the present response.

With regard to the rejection of Claim 1 as unpatentable over Ogure, that rejection is respectfully traversed as Claim 1 is amended to include the subject matter of Claim 9. Accordingly, the rejection of Claim 9 is addressed with respect to amended Claim 1.

Amended Claim 1 recites in part, "introducing a directional beam of neutral oxygen atoms having a kinetic energy between 10 eV and 1 eV."

In contrast, Ogure describes using *both* physical and chemical etching to speed an etching process.¹ Ogure describes that the impinging particles preferably have energies of 200 to 1,000 eV to ensure that sputtering occurs.² In fact, in paragraph 156, Ogure describes that particles *must* have an energy of *at least 30 eV* to ensure sputtering in accordance with the invention described by Ogure. Ogure clearly teaches away from the invention recited in

¹See, e.g., Ogure at paragraphs 172 and 173.

²See Ogure, paragraph 168.

Claim 1 in Figures 8 and 11, which define Ogure's invention as only including particle energies in the range of 100 eV to $> 10^6$ eV. Thus, not only does Ogure fail to teach or suggest "introducing a directional beam of neutral oxygen atoms having a kinetic energy between 10 eV and 1 eV," Ogure clearly teaches away from this feature.

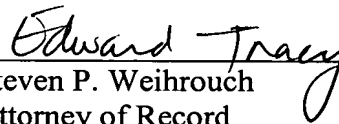
Therefore, Ogure does not teach or suggest "introducing a directional beam of neutral oxygen atoms having a kinetic energy between 10 eV and 1 eV" as recited in amended Claim 1, and there is no suggestion or motivation to modify Ogure with any other reference to create the claimed invention. Consequently, amended Claim 1 (and Claims 2-8 dependent therefrom) is patentable over Ogure.

With regard to the rejection of Claims 13 and 14 as unpatentable over Ogure in view of Ono, Claims 13 and 14 are canceled, making this rejection moot.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-8 patentably distinguishes over the cited art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore respectfully requested.

Respectfully submitted,

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